

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARCO ANTONIO PEREZ PEREZ et al., :
 :
 : ORDER
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 Plaintiffs, : 20 Civ. 8010 (LTS) (GWG)
 :
 -v.- :
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 ESCOBAR CONSTRUCTION, INC. et al., :
 :
 :
 Defendants. :
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GABRIEL W. GORENSTEIN, United States Magistrate Judge

With regard to the parties' proposed motions:

1. Plaintiffs shall file any motion to amend the complaint to add opt-in plaintiffs on or before March 3, 2023.
2. Defendants shall file any motion to decertify the collective action on or before March 3, 2023.
3. Plaintiffs shall file any motion to substitute the administrator of the Estate of Oscar Garza on or before May 15, 2023.

The above motions are returnable before Judge Gorenstein. The briefing schedule on those motions shall be in accordance with paragraph 2.B of Judge Gorenstein's Individual Practices. The parties shall also follow Judge Gorenstein's rules regarding briefs and other requirements of motions as reflected in paragraphs 2.C through 2.F of his Individual Practices.

4. The parties' proposed summary judgment, cross-summary judgment and Rule 11 motions are returnable before Judge Swain. The parties shall file a letter to the Court within 7 days of the date when both motions identified in paragraphs 1 and 2 above have been adjudicated, requesting that a deadline be set for filing these motions. The parties shall not file the motions until the Court sets that deadline.
5. Any motion for class certification under Fed. R. Civ. P. 23, also returnable before Judge Swain, shall be filed within 21 days of the disposition of any summary judgment motion. If the parties decide not to file summary judgment motions, they shall inform the Court immediately after such a decision is made and the Court will set a due date for the class certification motion.

SO ORDERED.

Dated: February 9, 2023
New York, New York



GABRIEL W. KORENSTEIN
United States Magistrate Judge